

FIRST REGULAR SESSION

# SENATE BILL NO. 459

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR LAGER.

Read 1st time February 24, 2009, and ordered printed.

1826S.011

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 1.205, RSMo, and to enact in lieu thereof one new section relating to unborn children.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 1.205, RSMo, is repealed and one new section enacted

2 in lieu thereof, to be known as section 1.205, to read as follows:

1.205. 1. The general assembly of this state finds that:

2 (1) The life of each human being begins at conception;

3 (2) Unborn children have protectable interests in life, health, and  
4 well-being;

5 (3) The natural parents of unborn children have protectable interests in  
6 the life, health, and well-being of their unborn child.

7 2. Effective January 1, 1988, the laws of this state shall be interpreted  
8 and construed to acknowledge on behalf of the unborn child at every stage of  
9 development, all the rights, privileges, and immunities available to other persons,  
10 citizens, and residents of this state, subject only to the Constitution of the United  
11 States, and decisional interpretations thereof by the United States Supreme  
12 Court and specific provisions to the contrary in the statutes and constitution of  
13 this state.

14 3. As used in this section, the term "unborn children" or "unborn child"  
15 shall include all unborn child or children or the offspring of human beings from  
16 the moment of conception until birth at every stage of biological development.

17 4. Nothing in this section shall be interpreted as creating a **civil** cause  
18 of action against a woman for indirectly harming her unborn child by failing to  
19 properly care for herself or by failing to follow any particular program of prenatal

20 care. **Nothing in this section shall be construed to prevent any criminal**  
21 **cause of action or prosecution for any harm to an unborn child**  
22 **resulting from the mother's intentional and unlawful ingestion or use**  
23 **of controlled substances.**

✓

Unofficial

Bill

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